

**REMARKS**

The disclosure has been objected to due to informalities. The specification has been amended accordingly. No new matter has been added.

The drawings have been objected to because Figure 2 include German phrases. However, Applicant's submitted drawing Figure 2, in English, with the original translation. A copy of the drawings are attached hereto.

Claim 15 has been objected to due to informalities. Claim 15 has been amended accordingly.

Claims 1-4, 6 and 8-14 have been rejected under 35 USC 102(e) as anticipated by Tonnby. The rejection is respectfully traversed.

Tonnby discloses a telephone doubler arrangement for providing a telephone service to a subscriber which, over a computer and a modem, has an ongoing Internet session with an Internet access server over an IP link established over a connection in the telephony network. A telephony server has access to a public network and to the Internet access server. In the present invention, on the other hand, there is no telephony server since voice connections over the Internet are directly connected via a gateway or an ISP with the PSTN (see, for example, Figure 1, page 0, lines 1-11).

Tonnby also discloses "when the telephony application in the computer logs on to the telephony server it passes user A telephone number as well as the IP address of user A computer to the telephony server" (see, col. 5, lns 1-5). When a telephony subscriber B wants to speak with the telephone of subscriber A, the PSTN detects that the line to subscriber A is busy or occupied, and the call should be forwarded to the telephony server and a connection is established to the telephony server. The telephony server then creates a relationship between the call and the IP address of the computer of subscriber A, and alerts the computer about the call (see, col. 5, lns. 15-35).

In the present invention, calls are not automatically re-directed to a telephony server when the subscriber line is busy or occupied. Significantly, this automatic re-direction does not occur because use of the subscriber line by an assigned telephone also leads to re-directed of the call to the telephony server, and causes traffic in the PSTN. To avoid this problem, a procedure is provided for setting a call diversion or call forwarding in the telephone network in the PSTN. Hence, any telephone of a PSTN or any telephone associated with an Internet terminal can set a call diversion in the telephone network for a telephone whose associated Internet terminal is involved in or will become involved in an Internet session. Therefore, a call is forwarded to the Internet via the gateway or the ISP during or shortly before an Internet session.

Since the recited structure and method are not disclosed by the applied prior art, claims 1 and 15 are patentable. Claims 2-14 and 16-20, depending therefrom, are similarly patentable.

Claims 5, 7, 15, 19 and 20 have been rejected under 35 USC 103(a) as unpatentable over Tonnby and Bedingfield and/or Elliott. The rejection is respectfully traversed for the same reasons presented in the arguments above, and since neither Bedingfield nor Elliott teaches or suggests a telephone of a PSTN or any telephone associated with an Internet terminal can set a call diversion in the telephone network for a telephone whose associated Internet terminal is involved in or will become involved in an Internet session.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection

with the filing of this document to Deposit Account No. 03-1952 referencing docket no.  
**449122011500.**

However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: January 30, 2006

Respectfully submitted,

By 

Kevin R. Spivak

Registration No.: 43,148

MORRISON & FOERSTER LLP

1650 Tysons Blvd, Suite 300

McLean, Virginia 22102

(703) 760-7762

Attachments